App. F. IX-4

1949-50
(CB)

File No. 219-69

Serial Nos. 1

Previous References.

~~CB 2~~

S & A 266-62 = 1, 2

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. One

Part B for Dec 49.

SUBJECT

Representation of Sri Sankaralingam Retired Assistant Commissioner re- his services in Sri Jayewardenepura may be treated as qualifying service for purposes of pension

D 21-12-49

No 6666-51/CB 219-69-1

To

All Rev. Commissioners

The comptroller to Govt (Accts) D

All Municipal Commissioners

Jan 7/1/50

R. 1761

Serial No.

SriVKS

Application dt. 13.9.1949 of Sri. Y. Srikantiah, Retired Asst. Comr. requesting for grant of revised pension, taking into consideration the period of re-employment as Officer-in-charge of Sri Sringeri Mutt for a period of 1 year-11 months — from Aug. 1945 to July 1947.

Sri. Y. Srikantiah is a Retired Assistant Commissioner and as such the papers may be transferred to the Confidential Branch for favour of taking further necessary action in the matter.

Sd/- [illegible] Pr. 20.9.49 Contdl. for) 21/9

GENERAL & REVENUE SECRETARIAT
21 SEP 1949
CONFIDENTIAL BRANCH.

Smt.

1) The facts leading to the appointment of Sri Y. Srikantiah, Retd Asstt Comr, are explained in paras 1 to 31 of the note in collection Mny: 224-44-2 placed below.

'D'

2) At the time of retirement he was drawing a pay of Rs 410/-. When he was re-employed as officer in charge of Sringeri Jahagir, (Vide G.O. dt 17/7/45) he was given pay of Rs 410/- plus an allowance of Rs 100/- raising his emoluments to Rs 510/-. with the distinct understanding that the pension due to him should be absorbed under the rules.

3) He now states that he was incharge of the Jahagir for 1 year and 11 months

NOTE—Contn. Sheet

Representation of Sri Y Seshachalam, Retired Asstt Comptr

File No. 1165/CB of 1949. | General and Revenue Secretariat

Serial No.

from August 1945 to July 1947 and requests that the pension originally granted to him may be revised taking into consideration the period during which he was incharge of the Jahagir.

5) Presumably this officer is in receipt of proportionate pension and he hopes to get enhanced pension by taking into consideration the period of 1 yr 11 months during which he was incharge of the Jahagir and continuing it with his previous service (and not the allowance of Rs 100/- he was given ~~[illegible]~~ during the period, which may not be deemed to count for pension).

6) This may perhaps be referred to The Jt Branch for further action as it relates to pension.

26/9/49

7) The ~~[illegible]~~ pension sanctioned to this Officer is not known, and it is not clear whether Art. 343 H.S.R. can be applied to this case with benefit to the Officer.

8) If approved, this may be sent to the Comptroller unofficially for remarks.

25.9.49

9) Yes.
26/9/49

U.O. No. 15/CB dated 26/9/49

10) Forwarded with Compliments to the Comptroller to Govt for favour of remarks.

Sm. Ramakrishnayya
for Chief Secretary to Govt
26/9/49
26.9.49

27/9/49

18/Pen.
27/9

Representation of Y Srikantiah, Ret Asst Comm

[App. F. III-2

General and Revenue Secretariat | File No. 1165/CB of 1949.

WD 06035—GPB—1,000—20-6-49

Serial No.

28/11/49

U.O. No. 18/Pen dated 26th November 1949

11) Returned with compliments.

12) Sri. Y. Srikantiah retired on a superannuation pension of Rs 185/14/- (Rupees one hundred and eighty five/ten only) with effect from 7-10-42 (Vide G.O. No. Fl 4035-36 S & A 266-42-2 dated 19-1-43).

13) He can count service rendered by him as Officer in charge of Sri. Sringeri Mutt for purposes of pension under Article 343 of M.S.R., provided the second period of service can be treated as qualifying satisfying the three conditions laid down in Article 228 M.S.R. In other words, whether any pension would have been admissible to him if he had held this office separately and alone is a point of doubt requiring clarification.

CHIEF SECRETARY. 23 - 8 NOV 1949 GOVT OF MYSORE

14) If Government were to order that his re-employment is in qualifying service, Article 343 of M.S.R. can be applied to this case.

Comptroller.

26/10/49.

PA

15) Submitted with reference to para 10 of the note

28/11/49 16) Please examine with reference to Art. 228 M.S.R. and note whether the Officer's re-employment could be treated as qualifying service.

29.11.49

NOTE—Contn. Sheet.

Representation of Sri Y Srikantiah Retd Asst Comr RD.

File No. 2) 1165/CB of 19 . | General and Revenue Secretariat

Serial No.

(17) Subd with reference to para 16 supra Article 228, M·S·R lays down that the service of an Officer does not qualify for pension unless it conforms to the three conditions, viz i that the Service must be under Govt; ii. that the employment must be substantive and permanent; and (iii) that the service must be paid by Govt.

(18) Article 343 lays down that an Officer who, having been discharged with a pension, is subsequently reemployed may not count his new Service for a separate pension and that Pension, if any, is admissible only for the new Service combined with the old, the whole being Counted as one.

19) The Govt order of 1797/45 reemploying Sri Srikantaiya, Retd Asst Comr reads as follows:— Govt direct that (a) Sri Srikantaiya be reemployed in Govt service and posted as Officer in charge of Sri Srirangapatna etc— (b) during the period he will be permitted to draw a pay of Rs 410/- PM which he was getting at the time of retirement— and (c) that he will not be entitled to draw his pension in addition during the period. These three clauses indicate that the intention of Govt is to give this Officer the benefit of Article 343 MSR agreeable to the conditions laid down under Article 228 M·S·R referred to above.

1)

20) The last clause of this G.O, namely

Serial No.

"That the amount of pension he is now getting will continue to be met out of State Fund and that the balance will be debited to the Mutt Fund" may have to be understood as a legitimate charge on the Mutt funds for providing service to the Mutt and not as having been paid by the Mutt ~~from~~ out of the Mutt Fund for engaging the service of this officer. For, the ~~Amutt~~ is under the management of Govt and the officer in-charge is appointed and controlled by Govt and, as such, the status of the officer is that of a full-fledged Govt employee.

2.) The position of the Mutt is that of an alienated village whose management is taken over by Govt in the event of its mismanagement by or at the instance of the Alienee or Inamdar. Govt, in such cases appoints its own officer and ~~cost~~ establishment, collects revenue and carries on the administration of the village, and out of the revenue collected, defrays the cost of management including the pay of the officer and establishment and only the balance goes to the share of the Alienee or the Inamdar. ~~Inamdar~~ The cost of management taken away by Govt may be construed as a legitimate charge on the revenue of the village forming a part of state funds.

2.) In this view the pay of Sri Srikantaya though charged to the Mutt, may be considered

Note.—Contn. Sheet.

Representation of Sri Srikantaraya
Retd Asstt Comr

File No. 1165/C13 of 19

General and Revenue Secretariat

Serial No.

to have been paid out of General revenues (vide Article 243 M.S.R.)

23 The Govt order reemploying Sri Srikanthah, ~~borrows~~, presents a discrepancy. Under Art 338 M.S.R an officer who retires on superannuation pension is excluded from reemployment, but may, with the sanction of Govt be reemployed in service paid by Local Funds and retain his pension. Sri Srikantaraya has retired on Superannuation pension and his reemployment in Govt service ~~is opposed to the Condition~~ ~~possession~~ is not reconcilable with Art 338. M.S.R.

24 However, Sri Srikantaraya's case may perhaps, be viewed favourably in conformity with the original intention of Govt to give him the benefit of Counting his service rendered with Govt for pension as explained in para 19 of the note.

25) The financial Dept may be consulted in the matter.

Chief Secy)

KMR 7.12.49

26) There have been several cases of this kind where officers who retired on superannuation have been re-employed in Govt service eg. in the Accts Dept (Food Supplies)

165 9/12

by 5/12/49 CKO 6/12/49

CHIEF SECRETARY 5318 Bulk 343 GOVT. OF MYSORE

27) This is Govt service. Though, ultimately, a portion of his salary may be charged off to the Local funds. The service seems to be a "qualifying" service. For remarks

GENERAL & REVENUE SECRETARIAT U.O. NO. FL 5790 19 DEC 1949 FINANCIAL SECRETARY BANGALORE

Fin. Secy)

165 9/12

amk 9/12/49

Serial No. 28)

5790/2C.

Paragraphs 19 and 20 above furnish conclusive proof that the Service is govt Service. It should count for pension.

Ch. Secy(re) 10/12/49.

CB

115 12/12 amr 17/12/49

Chief Minr)

115 12/12

His service in the matter may be deemed to be "Qualifying service" for purposes of pension.

Kcc. 16/12/49

115 16/12 amr 16/12/49

Subrd draft G.O. for approval.

Issue amr 20/12/49

sm 20/12

20.12.49

Spare copies of G.O are put up for being communicated to the Comptroller to the Govt.

Asst. Secretary Finance

Fl Comm No. 3305/2C d 23.12.49

Fl Secy has agreed

23/12

Issued 24/12 VB

CHIEF SECRETARY 5479 12 DEC 1949 GOVT. OF MYSORE

OFFICE OF THE CHIEF MINISTER 4832 19 DEC 1949 OF MYSORE

Representation of Sri Srikantaiah, Retd Asst Comr

File No. of 19 1165/CB

General and Revenue Secretariat

Serial No.

To

The Rev Comr

The Hyg Comr

The Comptroller Through DD

Ors nos: 6449-51-CB219-49-1 dt 21/12/49 directing that the Services rendered by Sri G. Srikantaiah, Retd Asst Comr as Officer in charge of Sri Sangeeth Mutt be declared to be Qualifying Service for purposes of pension.

By

Immdte.
22/9/49
by

977/FL 1741/R

Bangalore,
Dated 18th September 49.

From

Y. Srikantaiya, B.A.,
Retired Assistant Commissioner,
1137 Balakrishna Rao,
Chamarajapuram,
M Y S O R E.

To

The Secretary to Government,
Financial Department,
BANGALORE.

Sir,

Adverting to Government Order No.R.216-9/Muz.224-44-2 dated the 17th July 1945 re-employing me in Government service and posting me as Officer-in-charge of Sringeri Jahagir on the pay I was drawing at the time of retirement, I beg to state that I remained in charge of the Jahagir for a period of about one year and 11 months, i.e. from August 1945 to July 1947 and was finally permitted to retire thereafter. The above period has not been taken into consideration and my pension originally sanctioned as per P.P.O.No.19519 dated 20.1.1943 revised. The papers relating to my re-employment may kindly be called for and a revision of pension ordered under the provisions of the M.S.R. and also under the special circumstances of the case. The office of the Officer-in-charge of Sringeri Jahagir is exempt from payment of pensionary contribution ever since Government took charge of its administration

Muzrai Commissioner's Order No.M2.28-32/45-46 dated 23rd July 1945 communicating a copy of the Government Order referred to above is enclosed for reference.

I beg to remain,
Sir,
Your most obedient servant,
Srikantaiya

May be sent to Rev Secy

W.D. Asst Secy (R & E) 23/9/49

Matter

13/9/49

No. M28-88/45-46 23rd July 1945.

Memo.

Reference:- G.O.No.R.216-9/Muz.224-44-2 dated 17th July 1945, directing that Mr. Y. Srikantaiya, Retd. Assistant Commissioner, be re-employed in Government Service, and posted as Officer in-Charge of Sri Sringeri Mutt, in place of Mr. H. S. Sampangiramiah, who will be withdrawn to the General line, and that, during the period Mr. Y. Srikantaiya is employed in this charge, he will be permitted to draw a pay of Rs 410 (which he was getting at the time of his retirement from service) plus an allowance of Rs 100 p.m., and adding that, he will not be entitled to draw his pension in addition, during the period, the total emoluments of Rs 510 payable to him being met as follows:-

The amount of the pension that he is now getting being continued to be met from State Funds, and the balance being debited to the funds of Sri Sringeri Mutt.

Mr. Y. Srikantaiya, B.A., Retd. Assistant Commissioner, Malleswaram, Bangalore, is requested to join his new appointment as Officer in-Charge of Sri Sringeri Mutt and its properties, Sringeri, a t o n c e, and submit a report, to this effect, through the Deputy Commissioner, District.

Separate orders will be issued about the posting of Mr. H.S.Sampangi-ramiah, present Officer in-Charge.

For Muzrai Commissioner.

P.T.O.

G. R. S. App. F VI—G. 2]

SUBJECT.....

.....

.....

Diary No. of letter replied to..... .. ....

General and Revenue Secretariat.

( )

the *194* .

Date of issue..... 194 .

Signed by .....

May this be—

(i) printed ?

(ii) treated as a Standing Order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the Press ?

(iv) published in the Gazette, Kannada Part ?

Section.

File No.

Serial No.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

(1) G. O. No. Al 6035-36 S & A 266-42-2 dated 19th January 1943 sanctioning the payment of Superannuation pension of Rs (185-10-0) p. m. to Sri Y. Srikantiah Retd. Asst Commr under rule 8 (2) from 4-10-1942.

(2) G. O. No. R. 216-9 Mucs 226-44-2 dated 14th July 1945 re-employing Sri. Y. Srikantiah, Retd. Asst Commr. in Govt Service and posting him as Officer in charge of Sri Sringeri Mutt in place of Sri H. S. Sampangiramaiah and permitting him to draw a pay of Rs 440/- P. M. ~~under the above~~

P. T. O.

~~as Postmaster~~, subject to the condition that he will not draw his pension, in addition, during the period.

(3) The representation dated 13th Sept 1949 from Sri Y. Srikantaiya. BA. Retd Asst Commr, requesting that his services as Officer in charge of Srirangam Court may be taken as qualifying Service for purposes of pension

Order No. 6449 S1/CB219 48-1 Dated 21-12-49

Govt are pleased to direct that the services rendered by Sri Y. Srikantiah. B.A., Retd Asst Commr, as Officer in charge of Srirangam Court may be deemed to be "qualifying Service" for purposes of pension.

List of Enclosures

Copied by

Examined by

20/12/49
Chief Secretary to Govt

To The Revenue Commissioner in Mysore
The Surgeon Commissioner in Mysore
The Comptroller to Govt through F.D.

Copy to: Asst Branch
Sri Y. Srikantaiya.
Retd Asst Commissioner.

1134. WD 04162—GPB—60,000—23-10-41
Bala Krishna Rao
Chamarajapuram
Mysore

20.12.49